

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA	:	CRIMINAL NO.	
v.	:	DATE FILED:	
NUSHAR JAMEL SCOTT CORCORAN BURTON	:	VIOLATIONS:	
	:		18 U.S.C. § 1951
	:		(Conspiracy to interfere
	:		with interstate commerce
	:		by robbery - 1 count)
	:		18 U.S.C. § 1951
	:		(Interference with
	:		interstate commerce by
	:		robbery - 1 count)
	:	:	18 U.S.C. § 924(c)(1)
	:		(Using and carrying a
	:		firearm during and in
	:		relation to crime of
	:	:	violence - 1 count)
	:	:	18 U.S.C. § 922(u) (Theft
	:		of firearms from a federal
	:		firearms licensee - 2
	:		counts)
	:		18 U.S.C. § 922(g) (Felon
	:		in possession of a firearm -
	:		1 count)
	:		18 U.S.C. § 2 (Aiding and
	:		abetting)

INDICTMENT

COUNT ONE

THE GRAND JURY CHARGES THAT:

1. At all times material to this indictment, Dimmig's Gun Shop ("Dimmig's"), located at 142 East Butler Avenue, in Chalfont, Bucks County, Pennsylvania, was a federal firearms

licensee, licensed by the United States to sell firearms and ammunition, and did business in interstate and foreign commerce.

2. On or about January 23, 2003, in the Eastern District of Pennsylvania and elsewhere, defendants

**NUSHAR JAMEL SCOTT
and
CORCORAN BURTON**

conspired and agreed, together and with other persons known and unknown to the grand jury, to obstruct, delay, and affect commerce, and the movement of articles and commodities in commerce, by robbery, and to threaten physical violence to a person in furtherance of a plan and purpose to commit robbery, in violation of Title 18, United States Code, Section 1951(a).

MANNER AND MEANS

It was part of the conspiracy that:

3. Defendants NUSHAR JAMEL SCOTT and CORCORAN BURTON discussed stealing firearms from Dimmig's, 142 East Butler Avenue, Chalfont, Bucks County, Pennsylvania, and agreed to do so together.

4. Defendants NUSHAR JAMEL SCOTT and CORCORAN BURTON, armed with loaded firearms, and wearing dark clothing , black ski masks over their faces, and gloves, stole firearms from Dimmig's.

5. Defendants NUSHAR JAMEL SCOTT and CORCORAN BURTON used a car they had parked in front of Dimmig's to escape after the robbery.

OVERT ACTS

In furtherance of the conspiracy and to effect the objects of the conspiracy, defendants NUSHAR JAMEL SCOTT and CORCORAN BURTON together, and with others known and unknown to the grand jury, committed the following overt acts, among others, in the Eastern District of Pennsylvania and elsewhere.

On or about January 23, 2003:

1. Defendants NUSHAR JAMEL SCOTT and CORCORAN BURTON and other person known and unknown to the grand jury discussed stealing firearms from the premises of Dimmig's.
2. Defendants NUSHAR JAMEL SCOTT and CORCORAN BURTON drove together to Dimmig's and parked the car.
3. The defendants entered the store armed with semi-automatic handguns, pointed their handguns at the Dimmig's owner and threatened to shoot him.
4. Defendant NUSHAR JAMEL SCOTT went behind the counter to the cash register, pointed his gun at the owner's head, and removed approximately \$400 in United States currency from the cash register.
5. The defendants disabled the video surveillance equipment by removing the videotape from it and spray painting the camera lenses.
6. The defendants stole forty-nine firearms from Dimmig's.
7. Defendant NUSHAR JAMEL SCOTT instructed the owner to falsely tell the police that the robbery was committed by two white males.

8. Before leaving Dimmig's, defendant NUSHAR JAMEL SCOTT restrained the owner by tying his hands and legs with duct tape, covering his mouth with duct tape, and putting him inside the bathroom.

9. Before being apprehended by police, NUSHAR JAMEL SCOTT and CORCORAN BURTON concealed the stolen firearms, clothing, duck tape used to restrain Dimmig, and Dimmig's keys in a trash receptacle near the scene of their arrest.

All in violation of Title 18, United States Code, Section 1951(a).

COUNT TWO

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 1 and 3 through 5 of Count One of this Indictment are incorporated here.
2. On or about January 23, 2003, in the Eastern District of Pennsylvania and elsewhere,

defendants

**NUSHAR JAMEL SCOTT
and
CORCORAN BURTON**

unlawfully obstructed, delayed and affected commerce and the movement of articles and commodities in commerce, by robbery, and threatened physical violence in furtherance of a plan and purpose to commit that robbery, in that defendants did unlawfully take and obtain personal property, that is, firearms, belonging to Dimmig's, 142 East Butler Avenue, Chalfont, Pennsylvania, and from an employee, against his will by means of actual and threatened force, violence, and fear of injury, immediate and future, to his person and property.

In violation of Title 18, United States Code, Sections 1951(a) and 2.

COUNT THREE

THE GRAND JURY FURTHER CHARGES:

1. Paragraphs 1 and 3 through 5 of Count One of this Indictment are incorporated here.
2. On or about January 23, 2003, in the Eastern District of Pennsylvania and elsewhere,
defendants

**NUSHAR JAMEL SCOTT
and
CORCORAN BURTON**

knowingly used and carried, and aided and abetted the use and carrying of a firearm, during and in relation to a crime of violence for which they may be prosecuted in a court of the United States, that is, conspiracy to interfere with commerce by robbery, and interference with commerce by robbery, in violation of Title 18, United States Code, Sections 1951(a) and 2, as charged in Counts One and Two of this Indictment.

In violation of Title 18, United States Code, Sections 924(c)(1) and 2.

COUNT FOUR

THE GRAND JURY FURTHER CHARGES:

1. Paragraphs 1 and 3 through 5 of Count One of this Indictment are incorporated here.
2. On or about January 23, 2003, in the Eastern District of Pennsylvania and elsewhere,

defendants

**NUSHAR JAMEL SCOTT
and
CORCORAN BURTON**

knowingly and willfully stole and unlawfully took and carried away from the premises of Dimmig's Gun Shop, a business licensed to engage in the business of importing and dealing in firearms, the below described firearms, which were in the business's inventory and which had been shipped and transported in interstate and foreign commerce:

<u>DESCRIPTION OF FIREARMS</u>	<u>SERIAL NO.</u>
Russian Vepr 7.62x39 rifle	02KK3471
Ruger Vaquero .22 caliber revolver	26824706
Smith & Wesson Model 3913 LadySmith 9-millimeter pistol	YJH7762
Sig Arms Model P225 9-millimeter pistol	M651616
Kahr Arms Model T9 9-millimeter pistol	PA0137
Walther Model P99 .40 caliber pistol	416320
Rock Island Model 191 .45 caliber pistol	R1A890316
KelTec Model SUB2000 9-millimeter rifle	7707
Glock Model 21 .45 caliber pistol	EXF422US
Glock Model 27 .40 caliber pistol	FA6274US
Smith & Wesson Mag 8 .357 caliber revolver	BCF0583627-5
Beretta Model 900C 9-millimeter pistol	SZ009121

<u>DESCRIPTION OF FIREARMS</u>	<u>SERIAL NO.</u>
Springfield Model 1911 Micro Compact .45 caliber pistol	428383
Heckler & Koch USP Tactical .45 caliber pistol with ACC Tactical Suppressor (silencer)	25-070556 TA013
Taurus Model 415 revolver .41 caliber Magnum revolver	SF746657
Beretta Model 92FS Vertec 9-millimeter pistol	BER277497
Freedon Arms Model 97 .41 caliber Magnum revolver	R0166
Ruger Model P95 9-millimeter pistol	31490801
Mossberg Model 590 Speedfeed, 12 gauge, Verpr 7.62x39 caliber	P879495
Kimble Gold Combat Model 1911 .45 caliber pistol	KO3023
Glock Model 30 .45 caliber pistol	EGP589US
Smith & Wesson Model 629 .44 caliber Magnum revolver	DEL0009629-5
Colt Combat Commander .45 caliber pistol	FC24900E
Smith & Wesson Model 625 .45 caliber pistol	CER9925625-7
Beretta M9 9-millimeter pistol	M9-4750865
Springfield Model 1911 Compact .45 caliber pistol	LW410060
Glock Model 36 .45 caliber pistol	DUN588US
Beretta Model 92 9-millimeter pistol	DER167404
Steyr Model M .40 caliber pistol	3030
Smith & Wesson Model 629 .44 caliber revolver	CDK7145629-5
Smith & Wesson Model 610 10 millimeter pistol	CCT8656610-2
Heckler & Koch USP Compact .40 caliber pistol	26-021477
Sig Arms Model P245 Compact .45 caliber pistol	C001049
Kahr P9 9x19 with Nite Sights	YA2444

<u>DESCRIPTION OF FIREARMS</u>	<u>SERIAL NO.</u>
Ruger Single Six .32 caliber revolver with scope	650-12182
French Nagant 1900 ERA 8-millimeter revolver	E142591
Springfield 1911 GM Liteweight .45 caliber pistol	LW381806
Romania Intrac AK47S 5.45x39 rifle	303363-97
Walther PA KAL 9-millimeter pistol	011233W7.83
Bulgaria Makarov 9x18 pistol	KO271880
Egyptian Helwan Brigadier 9-millimeter pistol	4537
Glock Model 17 9-millimeter pistol	ANW227US
Heckler & Koch Model USP Compact .45 caliber pistol	29-014608
High Standard Sport King .22LR pistol	402570
Sig Arms Mauser M2 .45 caliber pistol	MC002486
Charter Arms Undercover .38 caliber revolver	835532
Browning Buckmark .22 caliber pistol with Advanced Armament Dragonfly Suppressor	525MY23137 FLY-034
MKII Sten 9-millimeter submachine gun	LVW6857
UZI submachine gun 9-millimeter	102734

In violation of Title 18, United States Code, Sections 922(u) and 2.

COUNT FIVE

THE GRAND JURY FURTHER CHARGES:

On or about January 8, 2003, in the Eastern District of Pennsylvania, defendant

NUSHAR JAMEL SCOTT

knowingly and willfully stole and unlawfully took and carried away from the person of John Gray of Gray's Outfitters & The Montgomery Armory, a business licensed to engage in the business of dealing in firearms, the following firearm in the business inventory of Gray's Outfitters & The Montgomery Armory that had been shipped and transported in interstate and foreign commerce, that is, one Magnum Research, Model Desert Eagle, .44 caliber pistol, bearing serial number 79110S.

In violation of Title 18, United States Code, Sections 922(u).

COUNT SIX

THE GRAND JURY FURTHER CHARGES THAT:

On or about January 23, 2003, in the Eastern District of Pennsylvania, defendant

NUSHAR JAMEL SCOTT

having been convicted in a court of the Commonwealth of Pennsylvania of a crime punishable by imprisonment for a term exceeding one year, knowingly possessed in and affecting interstate and foreign commerce a firearm, that is, one Magnum Research, Model Desert Eagle, .44 caliber pistol, bearing serial number 79110S, loaded with nine .44 caliber rounds of ammunition.

In violation of Title 18, United States Code, Section 922(g)(1).

A TRUE BILL:

FOREPERSON

PATRICK L. MEEHAN
United States Attorney